

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

Case No. 0:24-cv-61734-MD

JENNIFER HEATH BOX

Plaintiff,

v.

BROWARD COUNTY, FLORIDA, ET AL.

Defendants.

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**JOINT MOTION TO AMEND THE ORDER SETTING TRIAL AND PRE-TRIAL
SCHEDULE AND JOINT SCHEDULING REPORT**

In accordance with Federal Rule of Civil Procedure 26(f)(2) and Local Rule 16.1(b)(2), the parties move to amend the Court's March 7, 2025 Order and submit this scheduling report to the Court. This Court previously entered a scheduling order on March 7, 2025. Because Defendants' motion to dismiss was pending, however, the parties are now significantly behind the prior schedule and propose a new schedule for this Court to enter following Defendants' answers.

This is a Standard Track case which will require (3) to (10) days of jury trial. S.D. Fla. L.R. 16.1(a)(2)(B). This is an alleged Fourth Amendment unreasonable seizure case with multiple defendants which will require at least the full 269 days to complete discovery. S.D. Fla. L.R. 16.1(a)(3).

Accordingly, the parties have prepared a joint proposed scheduling order attached as Exhibit 1. The parties have agreed on all language.

A. Detailed Discovery Plan

The parties have conferred in good faith to propose a discovery plan considering those matters set forth in Federal Rule of Civil Procedure 26(f).

1. *Initial Disclosures*: The parties have agreed that initial disclosures in accordance with Fed. R. Civ. P. 26(a)(1) will be made within thirty (30) days of this Court's entry of a scheduling order.
2. *Joinder of Parties and Amendment of Pleadings*: The parties do not anticipate joining additional parties or amending the pleadings at this time. They request, however, that any motions to join additional parties, if any, and any motions to amend the pleadings be filed no later than 30 days after the close of discovery.
3. *Complete Discovery*: Discovery will be necessary on all liability and damages issues, including causation. The Parties request that the Court allow the parties to complete discovery, including expert discovery, by April 7, 2026.
4. *Expert Discovery*: By March 3, 2026, Plaintiff shall disclose the identity of her expert witness(es), if any, and shall produce any expert reports required by Fed. R. Civ. P. 26(a)(2). By March 3, 2026, Defendants shall disclose the identity of their expert witness(es), if any, and shall produce any expert reports required by Fed. R. Civ. P. 26(a)(2). By March 17, 2026, the parties shall disclose the identity of their rebuttal expert witness(es) and exchange rebuttal expert reports as required by Fed. R. Civ. P. 26(a)(2). All expert discovery shall be completed by April 7, 2026.

5. *File and Hear Motions*: The parties request that any dispositive motions be filed no later than May 6, 2026 and any motions in limine to be filed by June 4, 2026.
6. *Witness List*: By July 20, 2026, the parties shall disclose the identity (*i.e.*, names and addresses) of all fact witnesses intended to be called at trial.
7. The parties shall file a joint pretrial stipulation, proposed joint jury instructions, proposed joint verdict form, and/or proposed findings of fact and conclusion of law by July 20, 2026.
8. Electronic versions of documentary exhibits and Certificates of Compliance regarding Admitted Evidence shall be filed on CM/ECF by July 29, 2026.

B. Likelihood of Settlement

The parties attended mediation on August 13, 2025, and the mediator determined that settlement is unlikely. ECF 49. The Parties will discuss settlement throughout this case in good faith, however, and will inform the Court if any settlement is reached as required by Local Rule 16.4.

C. Likelihood of Appearance in this Action of Additional Parties

Neither party currently anticipates joining additional parties.

D. Summary Judgment Motions

Both parties anticipate filing motions for summary judgment following the close of all discovery.

E. Proposals for Formulation and Simplification of Issues

The parties anticipate using the required joint pretrial stipulation and appropriate jury instructions and verdict forms to clearly define the issues.

F. Amendments to the Pleadings

At this time, neither party anticipates amending their pleadings. But the parties reserve the right to make any amendments pursuant to the limitations imposed by the Federal Rules of Civil Procedure.

G. Admissions of Fact and Documents

The parties anticipate using the required joint pretrial stipulation to avoid unnecessary proof.

The parties will seek any necessary advance rulings on admissibility of evidence via motions in limine filed no later than June 4, 2026.

H. Avoidance of Unnecessary Proof and Cumulative Evidence

The parties anticipate using the required joint pretrial stipulation to avoid unnecessary proof and the presentation of cumulative evidence.

I. Advisability of Referring Matters to a Magistrate Judge or Master

The parties respectfully recommend that any discovery disagreements or disputes requiring the Court's intervention be referred to Magistrate Judge Valle. The parties agree to have a Magistrate Judge decide all motions on discovery disputes 30 days before the close of discovery.

The parties presently foresee no need for the appointment or use of a special master.

J. Preliminary Estimate of the Time Required for Trial

The parties estimate that trial in this case will take approximately three to five days, depending on which issues remain for trial.

K. Requested Dates for Conferences Before Trial, Final Pretrial Conference, and Trial

The parties request that the matter be set for trial during the Court's two-week trial calendar beginning August 3, 2026, and that the parties appear at a Calendar Call on July 29, 2026.

L. Other Matters

None at this time.

M. Jury or Non-Jury Trial

Plaintiff requests a jury trial.

N. Need for Variance from Discovery Limitations

The parties do not anticipate a need at this time for a variance from the discovery limitations provided by the Federal Rules of Civil Procedure and the Local Rules. The Parties will continue to discuss these issues as the case develops and discovery progresses and will provide notice to the Court of any such needs that arise.

Date: October 1, 2025

/s/ Michael R. Piper

Michael R. Piper
(FL Bar ID No. 710105)
Christopher J. Stearns
(FL Bar ID No. 557870)
piper@jambg.com; stearns@jambg.com
JOHNSON, ANSELMO, MURDOCH, BURKE, PIPER
& HOCHMAN, P. A.
2455 East Sunrise Boulevard, Suite 1000
Fort Lauderdale, FL 33304
Tel: (954) 463-0100

Respectfully submitted,

/s/ Katrin Marquez

Katrin Marquez
(FL Bar ID No. 1024765)
kmarquez@ij.org
INSTITUTE FOR JUSTICE
2 Biscayne Blvd., Suite 3180
Miami, FL 33131
Tel: (305) 721-1600

Jared A. McClain*
(DC Bar No. 1720062)
Bobbi M. Taylor*
(NJ Bar No. 435162023)
Tahmineh Dehbozorgi*

(DC Bar No. 90030252)

jmcclain@ij.org; btaylor@ij.org;

tdehbozorgi@ij.org

INSTITUTE FOR JUSTICE

901 North Glebe Road, Suite 900

Arlington, VA 22203

Tel: (703) 682-9320

Attorneys for Plaintiff Jennifer Heath Box

**Admitted pro hac vice*